STATE OF OREGON
COMMUNITY DEVELOPMENT GRANT PROGRAM
GRANT AGREEMENT

This Grant Agreement is made and entered into by and between the State of Oregon ("State") and the [city/~~county~~] of Elgin
T86022 ("Grantee").

The grant which is the subject of this Grant Agreement is authorized by Title I of the Housing and Community Development Act of 1974, Public Law No. 93-383, as amended (the "Act"). The grant is subject to the regulations of the Department of Housing and Urban Development, 24 CFR Part 570, Subpart I (1983) and 24 CFR Part 58 (47 Federal Regulation 15752 [April 12, 1983]), the Housing and Urban-Rural Recovery Act of 1983 (September 23, 1983) and rules established by the State of Oregon, Intergovernmental Relations Division, Oregon Administrative Rules, Chapter 120, division 21, as may be amended from time to time, at the discretion of the State.

Incorporated herein as part of this Grant Agreement are:

A. Notice of Grant Award, including project period for completion, attached as Exhibit "A".

B. Special conditions of award attached as Exhibit "B".

C. Certifications of compliance with federal laws and statutes, attached as Exhibit "C".

D. Project budget showing breakdown of sources of funds, attached as Exhibit "D".

E. Application, as submitted by the Grantee during the grant review process, included herein as Exhibit "E" by reference.

In reliance upon the application and Certifications of the Grantee, the State agrees, upon execution of the Grant Agreement, to provide the Grantee funds in the amount of $ 10,000.00, the use of which shall be expressly limited to the activities described in the grantee's application (Exhibit "E"). The use of these funds shall also be subject to the attached conditions, if any.

The obligation or expenditure of funds by grantee for the approved activities described in this agreement is prohibited without the further express written authorization of the State, except that such funds may be obligated or expended by Grantee for activities that are exempt as specified in 24 CFR Part 58.34, (47 Federal Regulation 15755 [April 12, 1983]), provided that each activity or project is exempt and meets the conditions specified for such exemption under the cited section.

The Grantee further agrees to comply or cause its agents to comply with all applicable state and federal laws and regulations in administering and distributing the funds provided under this Grant Agreement, particularly those cited in the attached Certifications (Exhibit C).

YA:lh:0315C
IRD:03/13/86

CP OB

( 5) It has developed its application so as to give maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The application may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs.

( 6) It has developed or will develop prior to receipt of any Community Development Program funds, a community development plan that identifies community development and housing needs, including the needs of low and moderate income persons, and specifies both short and long term community development objectives and activities to be undertaken to meet such needs.

( 7) It will not attempt to recover any capital costs of public improvements assisted in whole or part with the Title I funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless; (A) Title I funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than Title I funds; or (B) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, the grantee certifies that it lacks sufficient Title I funds to comply with the requirements of clause (A).

( 8) Its chief executive officer (or other officer of the Grantee approved by the State):

(a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 (NEPA) and other provisions of federal law which further the purposes of NEPA, as specified at 24 CFR Part 58.

(b) Is authorized and consents on behalf of the applicant and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibility as such an official.

( 9) The grant will be conducted and administered in compliance with the following requirements:

(a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1) which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the applicant, this assurance

shall obligate the applicant, or in the case of any transfer of such property, any tranferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits.

(b) Title VIII of the Civil Rights Act of 1968 (P.L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing, and the provision of brokerage services.

(c) Section 109 of the Housing and Community Development Act of 1974, as amended, and the regulations issued pursuant thereto (24 CFR Section 570.601) which provide that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided by the Federal Government.

(d) Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project. The Grantee shall cause or require to be inserted in full in all contracts and subcontracts for work financed in whole or in part with assistance provided under this Grant Agreement, the Section 3 clause as stated above and set forth in 24 CFR 135.20(b).

(e) Executive Order 11063 as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107 regarding equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance.

(f) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60 which provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts. Contractors and subcontractors on federal and federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.

(g) The Age Discrimination Act of 1975 (42 USC 6101 et seq) which prohibits discrimination on the basis of age.

(h) Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) which prohibits discrimination with respect to an otherwise qualified handicapped individual.

(i) The relocation requirement of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing regulations at 24 CFR Part 42.

(j) The labor standards requirements as set forth in Section 110 of the Housing and Community Development Act of 1974 as amended, including but not limited to the Davis-Bacon Act, as amended (40 USC 276a-276a5), and the Contract Work Hours and Safety Standards Act (40 USC 327 et seq).

(k) The requirements imposed by the State concerning special requirements of law, program requirements, and other grant administration requirements, approved in accordance with OMB Circular A-102, Revised, and A-87 as they relate to the acceptance and use of funds provided under this Grant Agreement and as modified by the State.

(10) No member, officer, or employee of the Grantee, or its designee or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under the Grant, and that it shall incorporate, or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this certification.

The Grantee shall also establish safeguards to prohibit employees from using their position for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

(11) It will comply with the provisions of the Hatch Act which limits the political activity of employees.

(12) It will give the State and the U.S. Department of Housing and Urban Development (HUD) or any authorized representative of the State or HUD access to and the right to examine all records, books, papers, or documents related to the grant.

(13) It will comply with the lead paint requirements of 24 CFR Part 35 issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 USC 4801 et seq).

(14) It will adopt a displacement policy where proposed activities may result in potential displacement of persons.

(15) It will in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, take into account, where applicable, the criteria, standards, policies and regulations of the following laws and authorities:

ENVIRONMENTAL POLICY

(a) The National Environmental Policy Act of 1969, As Amended; P.L. 91-190, 42 U.S.C. 4321-4347 as amended by P.L. 94/52 and P.L. 94/83; Title I, Section 104(f).

(b) Executive Order 11514, Protection and Enhancement of Environmental Quality (March 5, 1970) as amended by Executive Order 11991 (May 24, 1977).

HISTORIC PROPERTIES

(c) The National Historical Preservation Act of 1966; P.L. 89-665, 16 U.S.C. 470.

(d) The Archaeological and Historical Data Preservation Act of 1974; 24 CFR 58; P.L. 93-291, 16 U.S.C. 469.

(e) Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971.

(f) 36 CFR Part 800; Procedures for the Protection of Historic and Cultural Properties.

FLOOD PLAIN MANAGEMENT AND WETLAND PROTECTION

(g) Executive Order 11990, Protection of the Wetlands, May 24, 1977 (42 FR 26961, May 25, 1977).

(h) The Protection of Wetlands, 44 FR 47006, August 9, 1979 et seq., when issued by HUD.

COASTAL ZONE MANAGEMENT

(i) Coastal Zone Management Act of 1972 (P.L. 92-583) as amended by the Coastal Zone Management Act Amendments of 1976 (P.L. 94-370, 16 U.S.C. 1451 et seq.).

(j) Coastal Barriers Resources Act of 1982 (P.L. 97-348).

(k) 15 CFR Part 930, Federal Consistency with Approved Coastal Zone Management (44 FR 37142-37160, June 25, 1979); Subpart C; Subpart F.

WATER QUALITY AND RESOURCES

(l) The Safe Drinking Water Act of 1974 (P.L. 93-523) as amended by the Safe Drinking Water Amendments of 1977 (P.O. 95-190, 42 U.S.C. 201, 300f et seq. 7401 et seq.) and by further amendments in 1979 (P.L. 97-163).

WILDLIFE

(m) The Fish and Wildlife Coordination Act of 1958 (P.L. 85-624) as amended by the Act of 1965 P.L. 89/72, 16 U.S.C. 661-666(c).

YA:lh:0315C
IRD:02/20/86

ENDANGERED SPECIES

(n) The Endangered Species Act of 1973 (P.L. 93-205, 16 U.S.C. 1531); as amended by the Endangered Species Amendment Act of 1978 (P.L. 95-632, 16 U.S.C. 1536).

(o) 50 CFR Part 402, Interagency Cooperation Regulations.

WILD AND SCENIC RIVERS

(p) The Wild and Scenic Rivers Act of 1968 (P.L. 90-542, 16 U.S.C. 1271 et seq.) as amended by P.L. 92-560 in 1972; P.L. 92-279 in 1974; P.L. 93-621 and P.L. 94-199 in 1975; P.L. 94-273 and P.L. 94-486 in 1976; P.L. 95-625 in 1978; and P.L. 97/87 of 1979.

NOISE

(q) 24 CFR 51, Environmental Criteria and Standards; Subpart B, Noise Abatement and Control (44 FR 40860-40866, July 12, 1979.

NAVIGABLE WATERS

(r) The Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-217, 33 U.S.C. 1251 et seq.).

(s) The Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-217, 33 U.S.C. 1251 et seq.).

(t) 40 CFR Part 230, Navigable Waters.
(u) 33 CFR Part 322-329.

AIR QUALITY

(v) The Clean Air Act Amendment of 1970 (P.L. 91-604, 42 U.S.C. 1857), as amended by the Clean Air Act Amendment of 1977 (P.L. 95-95 and P.L. 95-190, 42 U.S.C. 4362, 7401, 7506 et seq.).

(w) 40 CFR Part 50, National Primary and Secondary Ambient Air Quality Standards.

(x) 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

SOLID WASTE MANAGEMENT

(y) The Solid Waste Disposal Act of 1965, as amended by the Resource Conservation and Recovery Act of 1976 (P.L. 94-850) and P.L. 95-850 and P.L. 95-609 of 1978 (42 U.S.C. 6901 et seq.).

(z) 40 CFR Part 421, Guidelines for the Land Disposal of Solid Wastes.

YA:lh:0315C
IRD:02/20/86

ENVIRONMENTAL REVIEW PROCEDURES

(aa) HUD Environmental Standards at 24 CFR Part 58, Environmental Review Procedures for Title I Community Development Block Grant Programs.

(bb) Also in connection with its performance of environmental review requirements, the Grantee will (1) consult with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects; and (2) comply with all requirements established by 24 CFR Part 58 (47 Federal Regulation 15752 [April 12, 1983]) to avoid or mitigate adverse effects upon such properties.

(16) The activities in this grant are required to meet one of three National Objectives established by the Congress. Grant recipient should indicate with a check mark the National Objective of this grant.

(X) 1) Activities primarily benefitting low and moderate income persons; (CFR 570.901(a)(1)

( ) 2) Activities which aid in the prevention or elimination of slums and blight; (CFR 570.901(a)(2)

( ) 3) Activities designed to meet community development needs having a particular urgency. (CFR 570.901(a)(3)

(17) It will comply with the other provisions of Title I of the Housing and Community Development Act of 1974, as amended, and with other applicable laws.

Signed S. Jean Cowan

Title Mayor

City/County City of Elgin

(THIS FORM MUST BE SIGNED BY THE HIGHEST ELECTED OFFICIAL OF THE CITY OR COUNTY.)

YA:lh:0315C
IRD:02/20/86

OREGON COMMUNITY DEVELOPMENT GRANT APPLICATION

Budget

City of Elgin
Applicant

Elgin Sanitary Sewer Study
Project Title

| Activities | Other Sources and Amounts | | | | | |
|---|---|---|---|---|---|---|
| HUD ACT.# | OCD GRANT | | | | | TOTAL |
| 1. Property Acquisition, Disposition, Clearance | $ | $ | $ | $ | $ | $ |
| 2. Senior Center/Community Facility * | | | | | | |
| 3. Water, Sewer, Flood and Storm Drainage Facilities | | | | | | |
| a. water improvements * | | | | | | |
| b. sewer improvements * | 9,000. | | | | | 9,000. |
| c. flood/storm drainage facilities * | | | | | | |
| 4. Streets | | | | | | |
| 5. Other Public Facilities(solid waste, street lights, etc.)* | | | | | | |
| 6. Public Services (housing counseling, etc.) | | | | | | |
| 7. Interim Assistance/Code Enforcement | | | | | | |
| 8. Relocation Assistance | | | | | | |
| 9. Housing Rehabilitation * | | | | | | |
| a. owner occupied rehabilitation | | | | | | |
| b. rental occupied rehabilitation | | | | | | |
| c. Program Management | | | | | | |
| (1) direct services (housing rehab., LID formation) | | | | | | |
| (2) contractual services (eng., architect., legal) | | | | | | |
| (3) capital outlay | | | | | | |
| 10. Public Housing Modernization/Removal of Arch. Barriers | | | | | | |
| 11. Planning Only | XXXXXXXXXXXXXX | | | | | |
| 12. Grant Administration/Audit | 1,000. | | | | | 1,000. |
| a. personal services/indirect charges | | | | | | |
| b. contractual services (COG, legal, etc.) | | | | | | |
| c. rent, utilities, operating expenses | | | | | | |
| d. audit | | | | | | |
| e. capital outlay, equipment, furnishings | | | | | | |
| 13. Assistance to For-Profit Entities (Bus. Development-Jobs) | | | | | | |
| 14. Cont. Services - Capital Projects (Eng., Arch., etc.) | | | | | | |
| 15. Other (specify) | | | | | | |
| a. | | | | | | |
| b. | | | | | | |
| Total | $ 10,000. | $ | $ | $ | $ | $ 10,000. |

*Attach a supplemental budget page further detailing the cost of these projects (i.e., water lines, storage tank, chlorin. unit, intake, etc.

YA:nl:0346C IRD:03/07/86

Exhibit "D"